

Page 3 of 12 02/23/2015 1:50 PM

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA
McCOLLUM, individually, and STEPHANIE
KINGREY, individually and as independent
administrator of the Estate of LARRY GENE
McCOLLUM,

PLAINTIFFS

V.

BRAD LIVINGSTON, JEFF PRINGLE, §
RICHARD CLARK, KAREN TATE, §
SANDREA SANDERS, ROBERT EASON, the §
UNIVERSITY OF TEXAS MEDICAL §
BRANCH and the TEXAS DEPARTMENT OF §
CRIMINAL JUSTICE. §

DEFENDANTS §

CIVIL ACTION NO.
4:14-cv-3253
JURY DEMAND

**PLAINTIFFS' NOTICE OF INTENTION TO TAKE 30(b)(6) ORAL
DEPOSITION AND SUBPOENA DUCES TECUM**

TO: UTMB, by and through its attorney of record, Lee Haney, Law Enforcement
Defense Division, P.O. Box 12548, Capitol Station Austin, Texas 78711.

Please take notice that on **March 10, 2015**, and thereafter from day to day until completed, Plaintiffs will take the oral deposition of an agency representative knowledge about the topics identified on Exhibit “A,” before a court reporter, and notary public for the State of Texas pursuant to Rule 30 of the Federal Rules of Civil Procedure.

The deposition is for the purpose of discovering, securing, and completing testimony of Defendant. The deposition will be taken at the Office of the Attorney General, 300 West 15th Street, 7th Floor, on **March 10, 2015**, beginning at 10:00 AM and will continue thereafter from day to day until completed. The deposition will be recorded stenographically and/or on videotape.

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From: Edwards Law 3

Fax: (888) 325-5677

To: 5124959139@rcfax.com Fax: +15124959139

Page 4 of 12 02/23/2015 1:50 PM

In accordance with Rule 30 of the Federal Rules of Civil Procedure, the deponent is directed to produce at the time and place of his deposition the following documents and/or tangible things to wit: All documents an/or tangible things responsive to the request as set out in Exhibit "B", attached hereto.

Dated: February 23, 2015.

Respectfully submitted,

Edwards Law
The Haehnel Building
1101 East 11th Street
Austin, Texas 78702
Tel. 512-623-7727
Fax. 512-623-7729

By /s/ Sean Flammer

JEFF EDWARDS
State Bar No. 24014406
SCOTT MEDLOCK
State Bar No. 24044783
SEAN FLAMMER
State Bar No. 24059754
Lead Counsel

Brian McGiverin
State Bar No. 24067760
James C. Harrington
State Bar No. 09048500

TEXAS CIVIL RIGHTS PROJECT
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Page 5 of 12 02/23/2015 1:50 PM

Eliot Shavin
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2600 State Street
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214-522-2010 (telephone)
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Local Counsel

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

By my signature above, I hereby certify that the foregoing document has been served on all counsel of record **via facsimile and email on February 23**, as follows:

Lee Haney
Assistant Attorney General
State Bar No. 07631060
P.O. Box 12548, Capitol Station
Austin, Texas 78711
Facsimile: (512) 495-9139

Cynthia Burton
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By /s/ Sean Flammer
Sean Flammer

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Page 6 of 12 02/23/2015 1:50 PM

Exhibit A

1. UTMB's document retention policies.
2. The date and scope of any litigation holds, preservation letters, etc. that were sent from outside counsel to UTMB and/or that were communicated internally within UTMB regarding any litigation regarding the heat conditions in Texas prisons.
3. The date and scope of any litigation holds, preservation letters, etc. that were sent from outside counsel to UTMB and/or that were communicated internally within UTMB regarding any litigation regarding this case.
4. All steps taken by UTMB to preserve electronically stored information concerning the heat conditions in Texas prisons.
5. What efforts were made to determine who the "key players" are in this case and what was done to preserve electronically stored information in their possession, custody, or control.
6. The efforts that have been taken and can be taken to obtain any potentially relevant electronically stored information that was either manually deleted or that was purged through automatic document retention policies.
7. Whether any electronically stored information related to this case has been deleted.
8. The identity of any electronically stored information that has been deleted or that is irretrievable.
9. All efforts taken concerning the preservation of electronically stored information related to heat-related illnesses of inmates in UTMB prison facilities where inmates are housed in non air-conditioned areas.
10. All efforts taken concerning the preservation of electronically stored information related to incidents where inmates have died from heat-related causes in TDCJ prison facilities where inmates are housed in non air-conditioned areas.

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Page 7 of 12 02/23/2015 1:50 PM

Exhibit B

1. All documents you have reviewed in preparation for your deposition.
2. All documents concerning any document preservation efforts (including the preservation of electronically stored information) related to this litigation.
3. All documents concerning the preservation and/or retrieval of electronically stored information related to this case.
4. All documents concerning the preservation of electronically stored information related to heat-related illnesses of inmates in TDCJ prison facilities where inmates are housed in non air-conditioned areas.
5. All documents concerning the preservation of electronically stored information related to incidents where inmates have died from heat related causes in TDCJ prisons.